

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
March 23, 2021

Name of Offender: **Gregory Bernard Lacy**

Case Number: **2:16CR00311**

Name of Sentencing Judicial Officer: **Honorable Warren W. Eginton**

Date of Original Sentence: **February 17, 2000**

Original Offense: **Possession with Intent to Distribute More Than 50 Grams of Cocaine Base**

Original Sentence: **240 Months prison, followed by 120 Months TSR.**

Date Supervision Commenced: **March 25, 2016**

Date Jurisdiction Transferred to District of Nevada: **November 8, 2016**

Name of Assigned Judicial Officer: **Honorable James C. Mahan**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **No Alcohol** – You must not use or possess alcohol.
2. **Curfew with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 60 days, and you must follow the rules and regulations of the location monitoring program.

☒ GPS Monitoring (including hybrid GPS).

This form of location monitoring technology will be used to monitor the following restriction on your movement in the community (choose one):

☒ You are restricted to your residence every day from 7:00 a.m. to 7:00 p.m., or as

RE: Gregory Bernard Lacy

Prob12B
D/NV Form
Rev. June 2014

directed by the probation officer (curfew).

- 3. Alcohol Monitoring – You shall complete Monitoring via SOBERTRACK for a period of up to 60 days, as approved and directed by the Probation Officer. You shall pay 100% of the cost of Alcohol Monitoring Services.**

CAUSE

By way of history, on February 17, 2000, Mr. Gregory Bernard Lacy was sentenced to 240 months custody to be followed by 10 years supervised release for committing the offense of Possession with Intent to Distribute More Than 50 Grams of Cocaine Base in the District of New Mexico, by the Honorable Warren W. Eginton. On March 25, 2016, Lacy commenced his term of supervised release in the District of Nevada. Jurisdiction was transferred to District of Nevada on November 8, 2016.

The purpose of this report is to advise the court of violation conduct by Lacy. On March 14, 2021, Lacy was arrested by the Las Vegas Metropolitan Police Department (LVMPD) for committing the offense of Driving Under the Influence of Alcohol. On the same date, Lacy was booked into the Las Vegas City Jail and was later released on own recognizance with a court date of July 17, 2021.

Lacy notified the U.S. Probation Office of his arrest immediately following his release. On March 23, 2021, Lacy reported to the probation office and met with the undersigned officer to discuss his arrest. When asked about details of the arrest, Lacy stated he was at a house party with a friend who he has not seen for a long time. They drank shots of Jack Daniel whiskey. He then decided to drive home. Lacy stated he has not driven drunk before and knew he was in the wrong.

According to the LVMPD police report, On March 14, 2021 at approximately 4:07 a.m., Officers observed Lacy's vehicle failing to maintain lanes multiple times, and the vehicle reaching speeds of 80 plus miles per hour (MPH) in a 65 MPH zone. LVMPD initiated a traffic stop and upon contacting Lacy detected an odor of alcohol, noticed his eyes were bloodshot and water, and his speech was slowed, slurred, and mumbled. Lacy refused to conduct a field sobriety test and refused to submit to an evidentiary blood draw. Lacy was ultimately booked into the Las Vegas City Jail and a search warrant was subsequently issued to obtain a blood sample.

As a corrective measure, Mr. Lacy was verbally admonished and counseled on the consequences of consuming alcohol and driving. The undersigned officer is respectfully requesting that Lacy's conditions be modified to include No Alcohol for duration of his supervised release, and remote Alcohol Monitoring via Sobetrack for 60 days. These additional conditions will enhance our ability to monitor Lacy and mitigate risk. Additionally, as a controlling measure, it is requested that a Curfew with Location monitoring for 60 days, requiring Lacy to remain in his residence between the hours of 7:00 p.m. to 7:00 a.m., with discretion of the Probation Office to adjust his schedule for work purposes be imposed. Lacy works Wednesday through Saturday from 3:00 a.m. to 1:30 p.m. His curfew will be adjusted permitting him to leave his home at 2:00 a.m. and be home by 2:30 p.m. on days he works. This condition will further allow our office to closely

RE: Gregory Bernard Lacy

Prob12B
D/NV Form
Rev. June 2014

monitor Lacy in hopes of dissuading him from making poor decisions that would put the community at risk. Lacy has agreed to the modification as witness by his signature on the attached waiver.

Respectfully submitted,



Digitally signed by
Javier Muruato-Cortez
Date: 2021.03.25
08:33:14 -07'00'

Javier Muruato
U.S. Probation Officer

Approved:



Digitally signed by
Todd Fredlund
Date: 2021.03.24
11:34:03 -07'00'

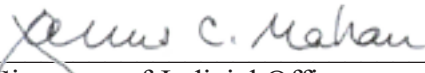
Todd J. Fredlund
Supervisory United States Probation Officer

RE: Gregory Bernard Lacy

Prob12B
D/NV Form
Rev. June 2014

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

March 29, 2021

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **No Alcohol** – You must not use or possess alcohol.
2. **Curfew with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 60 days, and you must follow the rules and regulations of the location monitoring program.

☒ GPS Monitoring (including hybrid GPS).

This form of location monitoring technology will be used to monitor the following restriction on your movement in the community (choose one):

☒ You are restricted to your residence every day from 7:00 a.m. to 7:00 p.m., or as directed by the probation officer (curfew).

3. **Alcohol Monitoring** – You shall complete Monitoring via SOBERTRACK for a period of up to 60 days, as approved and directed by the Probation Officer. You shall pay 100% of the cost of Alcohol Monitoring Services.

Witness


 U.S. Probation Officer

Signed


 Probationer or Supervised Releasee

Date

3/23/21